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Attorneys for Defendant
FREDRICK F. DAWSON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FREDRICK F. DAWSON,

Defendant.

Case No. 5:22-cr-00001-CDB

**STIPULATION TO CONTINUE STATUS
CONFERENCE; ~~[PROPOSED]~~ ORDER**

Date: December 5, 2023

Time: 10:00 a.m.

Judge: Hon. Christopher D. Baker

IT IS HEREBY STIPULATED by and between the parties through their respective counsel, Assistant United States Attorney Chan Hee Chu, counsel for plaintiff, and Assistant Federal Defender Erin Snider, counsel for Fredrick F. Dawson, that the Court may continue the status conference currently scheduled for October 3, 2023, at 10:00 a.m. to December 5, 2023, at 10:00 a.m. before the Honorable Christopher D. Baker.

On June 3, 2022, the government filed an Information charging Mr. Dawson with one count of theft of government property. *See* ECF No. 7, Case No. 1:22-cr-00107-ADA-1. The magistrate judge thereafter dismissed the Information without prejudice on the basis of a Speedy Trial Act violation. *See* ECF No. 18, Case No. 1:22-cr-00107-ADA-1. The defense filed a timely appeal to the district court judge, arguing that the magistrate judge erred in dismissing the case without prejudice. *See* ECF No. 20, Case No. 1:22-cr-00107-ADA-1. As of December 5, 2022, the appeal has been fully briefed and the parties are awaiting a ruling from the district judge. *See*

ECF No. 29, Case No. 1:22-cr-00107-ADA-1.

Meanwhile, the government refiled the charge against Mr. Dawson, which is the instant case. Because the pending appeal may impact the government's ability to proceed with this prosecution, the parties agree that, in the interest of efficiency, this case should trail the pending appeal.

In addition to the pending appeal, this case involves voluminous discovery—approximately 3,880 Bates-marked pages. Defense counsel requires time to review discovery and consult with her client. Defense counsel believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Based on the above, the parties agree that the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act, and the parties agree that, for the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period October 3, 2023, to December 5, 2023, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: September 27, 2023

/s/ Chan Hee Chu
CHAN HEE CHU
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: September 27, 2023

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
FREDRICK F. DAWSON

ORDER

IT IS SO ORDERED. For good cause shown in the parties' stipulation, the status conference currently scheduled for October 3, 2023, at 10:00 a.m. is hereby continued to December 5, 2023, at 10:00 a.m. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 3, 2023, to December 5, 2023, inclusive, is excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: **September 27, 2023**


UNITED STATES MAGISTRATE JUDGE